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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,528	10/06/2003	Kazuhiro Takeda	SIC-03-036	2527

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EXAMINER

LEE, GUNYOUNG T

ART UNIT PAPER NUMBER

2875

DATE MAILED: 08/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/605,528	TAKEDA, KAZUHIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Gunyoung T. Lee	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7-16 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

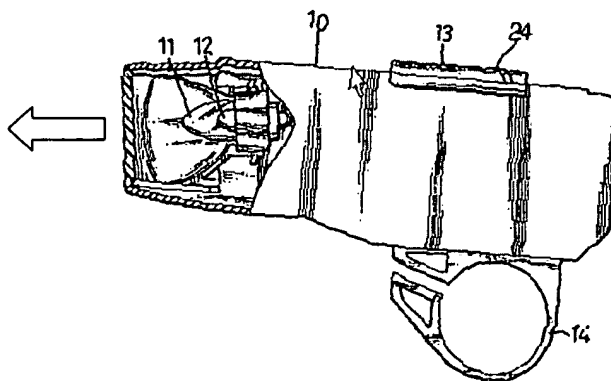
1. Applicant's amendment filed on May 23, 2006 has been entered:
  - Claim 1 has been amended;
  - Claim 17 has been added;
  - Claims 1-17 are pending in this application, with claims 1, 5, 7, 9, 13 and 15 being independent.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

3. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lin (US 5,690,410) in view of Kennedy et al (US 2,747,078) and Sun et al. (US 5,477,425).
4. In regard to claims 7-8, Lin discloses a bicycle lighting system having:
  - A computer housing (10) adapted to be mounted to a bicycle (32);
  - A computer/microprocessor (20) housed within the computer housing (10);
  - A display (13) housed within the computer housing (10) and inclined rearwardly (as shown in the picture on page 3);
  - A lighting device (11) housed within the computer housing (10) and controlled by the computer/microprocessor (20) (Col. 2, lines 37-42);
  - Wherein light emitted by the lighting device (11) is directed forwardly outside of the computer housing (10) (as shown in the picture on page 3);

- An externally mounted device (21) being a conduit (wires) to the computer housing (10).

5. Lin does not expressly disclose that the housing includes a conduit coupler for the wire (conduit), and light is directed laterally outside of the housing. Kennedy discloses a lighting unit (2) having a light housing (10) with a conduit coupler (74) for a conduit from an externally mounted device (11), and Sun et al. disclose a bicycle lighting device (Fig. 7) in which light emitted by the lighting device is directed laterally (11) outside of the lighting device (1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the conduit coupler of Kennedy and the lateral lighting as shown in Sun et al. for the bicycle lighting system of Lin, for the purpose of improving the safety of the rider by providing illumination around as well as in front of the bicycle, and increasing the durability of the lighting device by using the conduit coupler which protects the wires (conduit) from overheating or breaking while the bicycle is skidding on the ground in an accident.



6. Claims 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker (US 3,792,307) in view of Lin (US 5,690,410).

7. In regard to claims 9-17, Baker disclose a bicycle lighting device having;
- A housing (11);
  - A first lighting device housed within the housing (11) for providing lighting outside of the housing;
  - A separate battery housing (13) spaced apart from the housing (11);
  - A wiring (Fig. 3) connecting the battery (B) to the light housing (11);
  - An alternating current generator (dynamo) (14);
  - A second lighting device (12) disposed near the battery housing (13) for providing lighting outside of the battery housing (13).
8. Baker does not expressly disclose that the light housing includes a computer and a display, wherein the computer controls a lighting device and the display in the housing. Lin discloses a bicycle lighting system having a light housing (10) including a computer/microprocessor (20) that controls a lighting device (11) (col. 2, lines 38-40) and a display (13) (col. 2, lines 26-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the computer/microprocessor and display of Baker for the lighting device of Baker, for the purpose of providing a prolonged service time with a limited power source (battery) by selectively energizing the lighting devices according to the movement of a bicycle, which increase the safety of the rider at night.

Please note regarding claims 7, 9-10, 13, 15 and 17, that a statement with a term suggesting or making optional (e.g. “**adapted to**”) does not positively recite a structural limitation and is given little patentable weight (see MPEP § 2106).

***Allowable Subject Matter***

9. Claims 1-6 are allowed.
10. Claim 1 is allowable because the prior art fails to show or teach a bicycle lighting apparatus having a computer, a computer housing including a front surface and a beveled portion, a lighting device housed within the computer housing and controlled by the computer, wherein the front surface of the computer housing faces primarily forwardly and not downwardly, the beveled portion extends rearwardly from the front surface, and the lighting device is housed at the beveled portion of the housing so that light from the lighting device is directed primarily through the beveled portion forwardly outside of the computer housing.
11. Claim 5 is allowable because the prior art fails to show or teach a bicycle lighting apparatus having a computer, a computer housing, a display and a lighting device housed within the computer housing, and a same lighting device, wherein the display and the lighting device are controlled by the computer, and the same lighting device provides backlighting for the display as well as lighting outside of the computer housing.
12. Claim 17 is objected as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form incorporating **all** of the **limitations** of the base and intervening claims.
13. Claim 17 is allowable because the prior art fails to show or teach a bicycle lighting apparatus having a computer, a computer housing, a conduit coupler, a display and a lighting device housed within the computer housing, and an externally mounted

bicycle control device, wherein the conduit coupler is disposed on the computer housing for coupling a conduit from an externally mounted control device.

***Conclusion***

14. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gunyoung T. Lee whose telephone number is (571) 272-8588. The examiner can normally be reached between 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached at (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.


For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

GTL

7/26/2006



RENEE LUEBKE  
PRIMARY EXAMINER